

4. REFUGEES

This section presents information on persons who are admitted to the United States because of persecution abroad, including the number and characteristics of persons applying, approved, arriving, and adjusting to lawful permanent resident status.

A *refugee is an alien outside the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.* (See Glossary.) This definition of refugee is set forth in 101(a)(42) of the Immigration and Nationality Act (INA), as amended by the Refugee Act of 1980, and generally conforms to the international definition of refugee found in the 1951 Convention relating to the Status of Refugees. In addition, the INA allows the President to designate certain nationalities who may be processed for refugee status within their homelands.

The September 11 terrorist attacks

The terrorist attacks of September 11, 2001 continued to have a lagging effect on the number of refugee approvals in fiscal year 2003 (61 percent below fiscal year 2001 level) and admissions (59 percent below fiscal year 2001 level). Approvals continued to be slowed by enhanced security procedures for the applicants, as well as by safety concerns that delayed the arrival of adjudicators. Admissions remained well below fiscal year 2001 levels because safety concerns prevented refugee processing at some overseas locations and security requirements postponed the travel of already-approved applicants.

U.S. Refugee Program

The United States has resettled refugees for more than 50 years. The Displaced Persons Act of 1948 brought 400,000 Eastern Europeans to the United States. Between 1953 and 1956, the Refugee Relief Act resulted in more than 200,000 arrivals from what were then “Iron Curtain” countries. These early programs relied on immigrant visa channels to bring refugees to the United States. Beginning with the Soviet invasion of Hungary in 1956, however, U.S. refugee programs began to rely increasingly on the Attorney General’s parole authority, culminating in the parole of several hundred thousand

Indochinese following the fall of South Vietnam in 1975. It was not until the enactment of the Refugee Act of 1980 that refugees entered the United States in a statutory status that met for the first time the generally accepted international definition of refugee.

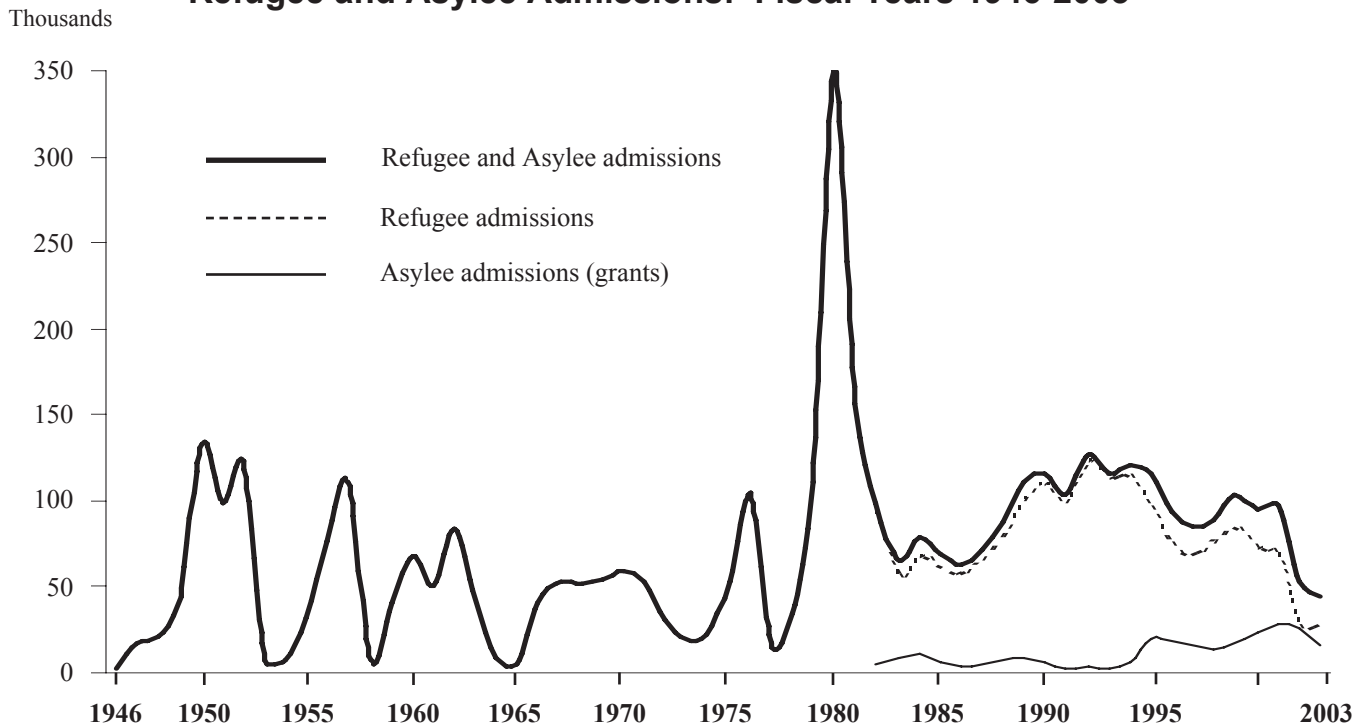
Chart C depicts initial refugee and asylee admissions for the period 1946-2003. The chart shows the very irregular trend of these admissions throughout the period. To aid in interpreting the chart, Table D lists the major legislation and events affecting the flow of refugees and asylees. Prior to 1980, refugee and asylee arrivals fluctuated widely. Refugee and asylee admissions skyrocketed to unprecedented levels in 1981 before returning to levels generally both higher and more stable than prior to 1980. Since 1980, refugee admissions have been subject to annual admission ceilings.

Admission ceilings

At the beginning of each fiscal year, the President, after consultation with the Congress, sets a worldwide refugee admissions ceiling. During the year, an unforeseen emergency may require an increase in this overall limit on refugee admissions or changed circumstances cause a reallocation of the geographic or regional subceilings within the worldwide ceiling. For fiscal year 2003, the admissions subceilings were as follows:

Geographic region of origin	Initial ceiling	Final ceiling
Total	70,000	70,000
Africa	20,000	20,000
East Asia	4,000	4,000
Europe	16,500	16,500
Latin America / Caribbean	2,500	2,500
Near East / South Asia	7,000	7,000
Unallocated	20,000	20,000

Chart C
Refugee and Asylee Admissions: Fiscal Years 1946-2003



NOTE: In this chart, admissions of asylees means grants of asylum. See Glossary for fiscal year definitions.
Source: Tables 14, 15, and 18.

Table D
Major Legislation and Events Affecting the Flow of Refugees and Asylees

1949-53	Displaced Persons Act	1989	Lautenberg Amendment for the Soviet Union, Cambodia, Laos, Vietnam
1954-57	Refugee Relief Act	1989	Direct access of Poles and Hungarians to U.S. Refugee Program ended
1956-58	Hungarians paroled	1989-96	Comprehensive Plan of Action-South East Asia
1959	Hungarian adjustments began	1990	Direct access of Czechs to U.S. Refugee Program ended
1959-80	Cubans paroled	1991	Asylum Officer Corps established
1966-80	Refugee conditional entrants	1991-92	Haitian migrants processed at Guantanamo naval base
1967	Cuban adjustments began	1991-95	In-country refugees processed in Haiti
1970-80	Refugee-Parolees admitted	1992	Processing of Bosnian refugee applicants began
1975-80	Indochinese refugees paroled	1994	Direct registration for Orderly Departure Program ended
1978-84	Indochinese Refugee Adjustment Act	1994	U.S.-Cuban Migration Agreement (legal immigration expanded)
1979	Orderly Departure Program initiated	1994-96	Cuban/Haitian safehaven at Guantanamo naval base
1980	Refugee-Parolee adjustments	1995	U.S.-Cuban Migration Agreement (irregular migrants returned)
1980	Refugee Act (adjustments and admissions began)	1995	Asylum reform initiative implemented to streamline process
1980	Mariel boatlift	1996	Illegal Immigration Reform and Immigrant Responsibility Act
1984	In-country refugee program opened in Cuba but subsequently suspended	1996	Operation Quick Transit (Iraqi Kurds in Guam)
1984-87	Mariel adjustments	1999	Processing of Kosovar Albanian refugee applicants began
1987	In-country refugee program in Cuba resumed	2001	Processing of Colombian refugee applicants in Ecuador began
1987	In-country refugee interviews in Vietnam began	2001	Enhanced security checks introduced (in wake of September 11, 2001 terrorist attacks)
1989	In-country program in Moscow opened for Soviet Refugee Applicants		

Table E
Refugee-Status Applications Filed and Approved by Top 20 Nationalities
Fiscal Year 2003

Nationality	Refugee applications filed	Refugee applications approved
All nationalities	42,705	25,329
Ukraine	7,654	4,612
Cuba	4,963	1,599
Somalia	3,739	1,331
Ethiopia	2,937	1,311
Russia	2,895	1,894
Moldova	2,606	1,575
Sierra Leone	2,237	1,430
Vietnam	2,032	1,772
Bosnia-Herzegovina	1,819	1,145
Iran	1,784	1,755
Sudan	1,739	1,609
Afghanistan	1,318	1,031
Belarus	1,228	737
Azerbaijan	1,131	907
Liberia	1,124	981
Iraq	759	147
Uzbekistan	419	280
Kazakhstan	417	255
Congo, Democratic Republic	353	90
Burma	242	227
Other	1,309	641

¹ Data are for unknown republic and exclude independent republics. See Notice of Special Geographic Definitions. Source: Table 13.

The authorized ceiling remained unchanged at 70,000. The unallocated and unfunded reserve of admissions numbers placed in the 2003 ceiling was 20,000 to be used if needed and if funding to support these admissions could be found within existing Department of State and Health and Human Services appropriations.

The regional subceiling for East Asia includes certain Vietnamese Amerasians, who enter the United States with immigrant visas. Although these aliens are immigrants rather than refugees, they are included in the refugee ceiling since they are eligible for refugee benefits in the United States. Only 116 Amerasians, including their family members, entered the United States in fiscal year 2003. They are included in the immigrant rather than the refugee tables in the

Statistical Yearbook. Admissions under the Amerasian program are declining, since most of the eligible persons have already been identified and entered the United States.

Criteria for refugee status

During fiscal year 2003, refugees were interviewed and approved for admission to the United States by officers stationed overseas and domestic asylum offices on temporary assignment. To qualify for admission to the United States as a refugee, each applicant must meet all of the following criteria: be a refugee as set forth in section 101(a)(42) of the INA; be of special humanitarian concern to the United States; be admissible under the INA; and not be firmly resettled in any foreign country. Spouses and minor children of qualifying refugees may derive status

and also enter the United States as refugees, either accompanying or following to join the principal refugee. Occasionally, family members arrive in the United States as nonimmigrants independently of the principal refugee's admission. In such cases, they are processed for derivative refugee status without leaving the country. In 2003, 25 persons entered the United States this way.

Data Overview

Applications (Tables E, 12-13)

The number of applications for refugee status filed with U.S. Citizenship and Immigration Services (USCIS) decreased by approximately 52 percent between fiscal year 2002 (89,700) and 2003 (42,700) (Table 12). The leading countries of chargeability of the applicants were Ukraine with 18 percent of the applications, Cuba (12), Somalia (9), Ethiopia (7), and Russia (7) (Table E and Table 13). Among the nationalities on Table E with at least 1,000 applications filed, the largest percentage increases in 2003 over 2002 were Moldova (1,775), Azerbaijan (528) and Belarus (124). The largest percentage decreases in applications filed were by nationals of Liberia (-92), Somalia (-85), and Ethiopia (-80). The corresponding increase for nationals of the former Soviet Union was 131 percent. Overall, among the major geographic regions of chargeability, applications filed by nationals from Europe increased by 46 percent in contrast to North America, Asia and Africa which decreased 23, 30 and 80 percent, respectively compared to 2002.

Approvals (Tables E, 12-14)

The total number of refugees approved for admission to the United States increased by 36 percent in 2003 from 18,700 in 2002 to 25,300 (Table 12). However, the number in 2003 was still less than half of the 2001 level. The large decline since 2001 has been due in part to the implementation of enhanced security measures in the U.S. Refugee Program following the terrorist attacks of September 11, 2001. Concerns about the safety of U.S. government officials also delayed the processing of refugees at several overseas locations.

Ukraine had the most applications approved, growing 185 percent in 2003 over 2002. Nationals from the republics of the former Soviet Union had nearly 10,500 applications approved in 2003 (Table 13), up 232 percent over 2002. Besides Ukraine, other leading countries were Russia, Vietnam, and Iran. These countries plus the republics of the former Soviet Union accounted for 63 percent of all refugee approvals in 2003.

Of the twelve countries with more than 1,000 approvals, Ukraine grew the most in approvals in 2003 with a gain of 2,900 over 2002, and Ethiopia declined the most with a loss of nearly 2,600 approvals. In relative terms, Moldova was noteworthy for its growth in approvals from fewer than 50 in 2002 to almost 1,600 in 2003.

All Vietnamese refugee processing centers outside Vietnam were closed at the end of 1997. Residents of former refugee camps were returned to Vietnam. Their cases are processed through a special program called the Resettlement Opportunity for Vietnamese Returnees (ROVR) in Vietnam.

Dependents

Refugee statistics include spouses and children who are cleared to join principal refugees already in the United States. These spouses and children count against the annual ceiling. Overall, 3 percent of the applications and 2 percent of the approvals were family reunification cases. Just three countries—Somalia, Iraq, and Cuba—account for 60 percent of the applications and 36 percent of the approvals.

More than 28,000 refugees arrived in the United States during 2003.

Arrivals (Tables 14-15)

Refugee arrivals into the United States increased slightly from nearly 27,000 in fiscal year 2002 to 28,300 in fiscal year 2003. The historically low level of arrivals occurred primarily because of the lingering effects of the September 11 attacks. In particular, security concerns precluded refugee processing at a number of overseas locations and new security requirements delayed the travel of already approved refugee applicants.

Understanding the Data

Data Collection

U.S. Citizenship and Immigration Services collects data on refugees at three points during processing: when they apply for refugee status abroad; when they are admitted to the United States; and when they adjust to lawful permanent resident status. The USCIS overseas offices collect data on applicants for refugee status. Each office completes Form G-319, *Report of Applicants for Refugee*

Status under Section 207, which reports refugee casework by the country to which each applicant is chargeable.

Both the Bureau for Population, Refugees, and Migration (PRM) (Department of State) and the Office of Refugee Resettlement (Department of Health and Human Services) collect data on refugees admitted to the United States. The PRM collects data through the International Organization for Migration, which is a nongovernmental organization that arranges the transportation of refugees to the United States. The Office of Refugee Resettlement, responsible for the disbursement of funds for refugee benefits, collects detailed data on the characteristics of refugees at the time they are initially admitted to the United States.

The USCIS collects data on refugees adjusting to lawful permanent resident status as part of its immigrant data series gathered by the Computer Linked Application Information Management Systems (CLAIMS). The data collected include demographic variables as well as immigration-oriented variables (see Immigrants section). The adjustment stage is the only point in the refugee

process where the USCIS collects detailed information about the characteristics of refugees.

Limitations of Data

After careful consideration of the reporting requirements and limitations of data collected by the INS, it was decided that beginning in 1996 the *Statistical Yearbook* would present refugee arrival statistics from the Department of State. This source counts the actual number of refugees arriving in the United States in each fiscal year. Comparison of refugee arrival data from editions of the *Yearbook* prior to 1996 with the present edition must be made with caution. From 1987 to 1995 refugee arrival data presented in the *Yearbook* were derived from the INS's Nonimmigrant Information System (NIIS). This system compiles refugee arrival data by country of citizenship on a monthly basis from DHS Form I-94, *Arrival/Departure Record* (see Nonimmigrants section). However, since this system records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year.

Refugee detailed tables are located at the end of the Asylées text section.

5. ASYLEES

This section presents information on persons who come to the United States to seek asylum from persecution abroad, including the number and characteristics of persons who filed, were granted asylum, and adjusted to lawful permanent resident status.

An asylee is an alien in the United States who is *unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution.* (See Glossary.) An asylee must meet the same criteria as a refugee; the only difference is the location of the person upon application—the potential asylee is in the United States or applying for admission at a port of entry, and the potential refugee is outside the United States. The Immigration and Nationality Act, as amended by the Refugee Act of 1980, regulates U.S. asylum policy as well as governing refugee procedures. The Act, for the first time, established a statutory basis for granting asylum in the United States consistent with the 1951 Convention Relating to the Status of Refugees.

The September 11 terrorists attacks

The attacks resulted in an immediate decline in applications filed. Additional security checks were implemented since September 11. Cases could not be approved until the checks were completed.

U.S. Asylum Program

Filing of claims

Any alien physically present in the United States or at a port of entry may request asylum in the United States. According to the Refugee Act, current immigration status, whether legal or illegal, is not relevant to an applicant's asylum claim. Aliens may apply for asylum in one of two ways: with an USCIS asylum officer; or, if apprehended, with an immigration judge as part of a removal hearing. Traditionally, aliens who appeared at ports of entry without proper documents and requested asylum were referred for exclusion hearings; however, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 made major revisions to the procedure, effective on April 1, 1997. Under the new law, such aliens are referred to asylum officers for credible fear interviews. These interviews are not formal asylum hearings. The purpose of

the interviews is to determine whether aliens have credible fear of persecution or torture and are thus eligible to apply for asylum or withholding of removal before an immigration judge. In credible fear interviews, aliens only need to show that there is a significant possibility that they might establish eligibility for asylum. To be granted asylum, aliens must show they have been persecuted in the past or have a well-founded fear of persecution. An alien may request that an immigration judge review a negative determination by the USCIS on a credible fear claim. The data reported in this section pertain only to asylum cases filed with USCIS asylum officers. Aliens denied asylum by the USCIS may renew asylum claims with an immigration judge once they are in removal proceedings.

Adjudication of claims

On April 2, 1991 the Asylum Officer Corps (AOC) assumed responsibility within the INS (now USCIS) for the adjudication of asylum claims that were filed with the agency. Before that date, examiners had heard such claims in INS district offices. During fiscal year 2003, asylum officers worked from eight sites in the United States—Arlington (VA), Chicago, Houston, Los Angeles, Miami, New York City, Newark (NJ), and San Francisco. Asylum officers traveled to other USCIS offices to interview applicants who did not live near these locations.

In January 1995 the INS published regulations designed to streamline the asylum decision process, discourage the filing of frivolous claims, and in cases of claims that do not appear to meet the standards for granting asylum, integrate the work of asylum officers with the work of the immigration judges in the Executive Office for Immigration Review (EOIR), an independent Justice Department agency.

Under asylum reform, the USCIS standard is to conduct the asylum interview within 43 days after the claim is filed, and to identify and grant those cases that have merit

(generally in 60 days from the date of filing the application). If the USCIS asylum officer does not grant the claim, the applicant is referred immediately for removal proceedings before EOIR (unless the alien is still in a legal status). The immigration judge may grant the claim or may issue a denial and an order of removal. Under this system, USCIS asylum officers issue relatively few denials, but an interview followed by a referral to EOIR represents the asylum officer's judgment that the application is not readily grantable. USCIS will issue a denial (and cannot refer the case) when the applicant is still in a legal status. An applicant who fails without good cause to keep a scheduled appointment for an asylum interview is referred immediately to EOIR for removal proceedings, one type of case closure.

Beginning in 1997, the AOC also began conducting credible fear interviews as required by IIRIRA and interviewing applicants for refugee status at USCIS overseas locations.

More than 46,200 applications for asylum in the United States were received during 2003.

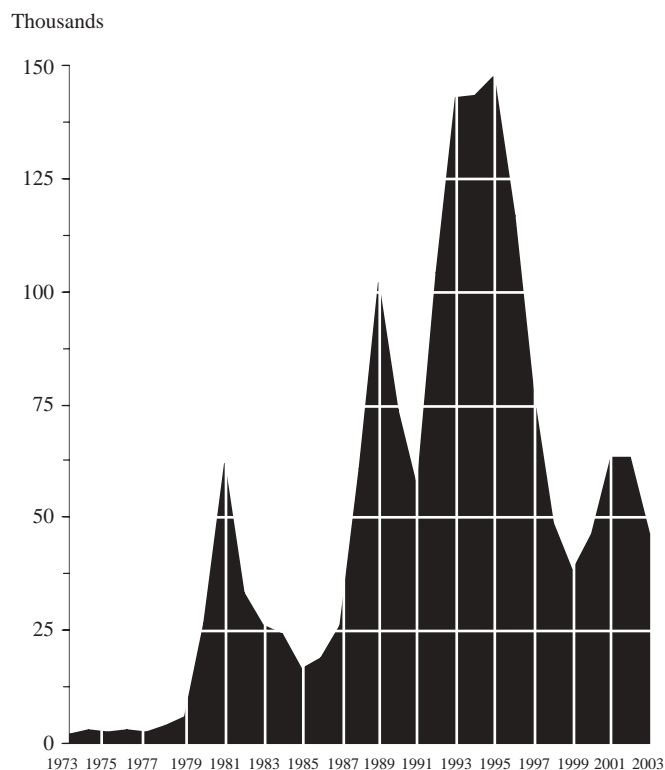
Data Overview

Applications filed (Chart D, Tables 16, 18)

The annual number of asylum applications (cases) filed with the USCIS has fluctuated greatly since the effective date of the Refugee Act of 1980, as shown in Chart D. In fiscal year 2003, 46,272 asylum cases were filed or reopened (received) covering 61,660 principals, spouses, and children. The number of cases decreased by 27 percent in 2003 from 63,197 in 2002 (Table 16) while the number of individuals included in these cases dropped in 2003 by 29 percent.

In fiscal year 2003, 42,114 new claims (cases) for asylum were filed with USCIS. Principals from the People's Republic of China made the most new claims (4,750), followed by Colombia (4,547), Mexico (3,846), and Haiti (3,276) (Table 18). New claims in 2003 grew the most from Indonesia (1,204), Guatemala (1,123), and Venezuela (635). The largest declines in new claims were experienced by nationals of the People's Republic of China

Chart D
Asylum Applications Received by the USCIS
Fiscal Years 1973-2003



NOTE: See Chart C in the Refugee section for asylum applications granted. See Glossary for fiscal year definitions. Source: Table 16.

(-5,772), Mexico (-5,131), and Colombia (-3,420). Principals from the former Soviet Union filed 2,866 new claims, 21 percent fewer than in 2002—32 percent were nationals from Armenia and 25 percent from Russia.

A male was the principal in 62 percent (26,102) of the new claims filed in 2003. The median and mean ages of asylum applicants were 33 and 34, respectively. Females had median and mean ages of 33 and 35, respectively, while the corresponding numbers for males were 33 and 34.

A total of 4,915 asylum cases were reopened in 2003 (including 757 cases that were both new and reopened during the year). The number of reopened cases in fiscal year 2003 was 20 percent less than the number of cases reopened in 2002. Cases that were administratively closed are automatically reopened when aliens apply for renewal of their employment authorization. These reopened cases

were applications filed prior to the asylum reforms of 1995, where the cases were administratively closed due to a failure to appear for the asylum interview. An interview is automatically rescheduled at the same time the cases are reopened.

With respect to principals, spouses, and children on applications filed (new and reopened) during 2003, the largest increases were from Indonesia (1,680) and Venezuela (1,306). On the other hand, nationals from Mexico (-8,205), Colombia (-6,749), and the People's Republic of China (-6,446) experienced the largest decreases. About 57 percent of all individuals involved in new or reopened claims were male.

Trends in asylum applications filed by nationals from Central America

For over a decade, nationals from Central America dominated the annual number of asylum applications filed in the United States. From 1986 to 1992, Central Americans filed about half of all asylum applications. By 1993 and 1994 that percentage had fallen to about 40 percent of total applications filed. Then, the number of applicants from Central America surged to new heights in the next two years, with well over half of all asylum applicants. Beginning in 1997, the numbers started a sharp decline largely due to the termination of the filing period under the terms of the American Baptist Churches (ABC) *vs.* Thornburgh settlement. As a result, Central American principals accounted for only about 6 percent of new claims and 7 percent of claims filed and reopened in 2003.

During the 1990s, the trend in asylum claims filed or reopened from Central America has been driven in large part by ABC cases. Under the terms of this 1991 class action lawsuit settlement agreement [American Baptist Churches *vs.* Thornburgh, 760 F. Supp. 796 (N.D. Cal. 1991)], many nationals of El Salvador and Guatemala were allowed to file or renew their claims for asylum. Nationals of Guatemala had a filing deadline of March 31, 1992, which was the peak year for claims from this country (although the INS allowed them to file until January 3, 1995). The 187,000 Salvadorans who had registered for Temporary Protected Status (TPS) in 1991 became eligible to file for asylum at the expiration of their TPS period in 1992. They were later granted additional time under deferred enforced departure periods that extended until December 1994, and they ultimately had until January 31, 1996 to apply for asylum under the ABC agreement. The

number of ABC claims filed by principals from El Salvador surged during fiscal year 1996 before the filing deadline. These claims are heard under the pre-reform regulations as well as other stipulations of the settlement agreement. Applications filed after the ABC filing deadline were processed as reform filings, except those ABC cases that were closed by the EOIR or federal courts and were not previously filed with the INS. Under the settlement, once USCIS identifies the latter cases, they are treated as ABC filings instead of reform filings. During fiscal year 2003, 660 cases were identified as either filed or reopened as ABC cases, compared with 476 in 2002.

On November 19, 1997 the Nicaraguan Adjustment and Central American Relief Act (NACARA) was signed into law. Section 203 of the NACARA permits certain Guatemalans, Salvadorans, and nationals of former Soviet bloc countries to apply for suspension of deportation or special rule cancellation of removal under the more generous standards in effect before the 1996 immigration law. Individuals granted relief under NACARA 203 are permitted to remain in the United States as lawful permanent resident aliens. All persons eligible for ABC benefits with asylum applications pending with the USCIS, also are eligible to apply for the NACARA benefits with the USCIS Asylum Program. Certain qualifying family members also may apply for NACARA benefits. In fiscal year 2003, 11,464 applications were filed under NACARA 203 provisions compared to 17,601 in 2002. There were 27,527 cases granted and 48,282 pending applications at the end of the fiscal year compared to about 21,325 and 66,871, respectively, in 2002.

Cases completed (Tables 16, 18, 19)

During fiscal year 2003, the Asylum Officer Corps completed work on 87,516 claims and adjudicated about 45 percent (39,456) of them (Table 16). The remaining 55 percent were administratively closed or referred to an immigration judge with or without an interview prior to the expiration of the filing deadline. The number of cases approved in 2003 was 11,434, representing 29 percent of the cases adjudicated. The corresponding approval rate was 36 percent in 2002. The cases approved represented 15,470 individuals—principals, spouses, and children (Tables 18 and 19). The number of individuals accounted for by the cases approved were in rank order by nationality: Colombia (2,990 individuals granted), the People's Republic of China (2,410), Haiti (1,160), and Cameroon (823) (Table 18).

Special procedures exist for adjudicating cases based on coercive population control. Section 601 of the IIRIRA stipulates that a person qualifies as a refugee or asylee persecuted for political opinion if forced to undergo, has a well founded fear of being compelled to undergo, or resists a coercive population-control procedure. It sets a combined annual ceiling of 1,000 persons who may be granted refugee or asylee status under this provision. Both USCIS and Executive Office for Immigration Review (EOIR) grant conditional asylee status to qualified applicants each year under this provision—status that is not subject to the 1,000 annual ceiling (as of the end of fiscal year 2003, 2,353 and 15,091 conditional grants were issued by USCIS and EOIR together for fiscal year 2003 and since the program began, respectively). At the beginning of a new fiscal year, the USCIS Asylum Division issues 1,000 final grants—counted toward the annual ceiling of the previous year—to those who have received a conditional asylee status from either agency in previous fiscal years. The selection criterion for final grants is the date of the conditional grants. Those who received their conditional grants earlier would receive their final grants first. By the end of fiscal year 2003, USCIS completed the issuance of the 1,000 fiscal year 2003 final approval authorization numbers for final grants of asylum status. The 1,000 conditional grants went to 245, 702, and 53 individuals who received their grants from USCIS, immigration judges, and Board of Immigration Appeals, respectively. The People's Republic of China was the country of origin of all grants. No one was granted refugee status in fiscal year 2003 based on coercive population-control measures.

Cases pending

The number of asylum cases pending adjudication decreased about 14 percent between the beginning (306,000) and the end (265,000) of fiscal year 2003. Of total pending cases, approximately 224,000 will potentially qualify the asylum applicants for lawful permanent resident status under NACARA or the Haitian Refugee Immigration Fairness Act (HRIFA) of 1998. Cases filed by nationals of El Salvador (48 percent of total pending) and Guatemala (32) accounted for 80 percent of the pending cases as of the end of September 2003. The ABC cases, which can be handled under the NACARA provisions, comprised 98 percent of the Salvadoran and 93 percent of Guatemalan cases filed, and 77 percent of all pending cases as of the end of September 2003. Almost 6,600 Nicaraguan and 1,300 Cuban nationals with pending cases also will be eligible for NACARA benefits. Not more than 8,600

Haitian nationals with pending cases are eligible for benefits under HRIFA.

Credible fear interviews

During fiscal year 2003, 5,367 aliens appeared at ports of entry without proper documents and requested asylum. Most of these aliens were subsequently referred to asylum officers for credible fear interviews. Nationals of the People's Republic of China submitted the most applications (1,154), followed by Haiti (998), Cuba (950), and Colombia (560). These four countries accounted for about 61 percent of all applications in 2003. Some applicants change their mind and decide to withdraw their request for a credible fear interview before an interview takes place. The Asylum Officer Corps made 5,414 credible fear determinations in 2003, and found sufficient evidence of credible fear in 99 percent of the cases. These cases were referred to immigration judges for adjudication.

Understanding the Data

Data Collection

Prior to April 1, 1991, data on asylum applicants reflect cases filed with INS district directors and, subsequently, cases filed with INS asylum officers on Form I-589 (*Request for Asylum in the United States*). A centralized, automated data system (Refugee, Asylum, and Parole System—RAPS) supports the processing of the existing caseload and new asylum applications. The system supports case tracking, schedules and controls interviews, and generates management and statistical reports. The system reports asylum casework by nationality and other characteristics of asylum applicants. Data can be reported by case or by the number of persons covered, since a case may include more than one person. Data on asylum applicants have been collected by the INS/USCIS for selected nationalities since July 1980, and for all nationalities since June 1983.

As with refugees, United States Citizenship and Immigration Services collects data on asylees adjusting to lawful permanent resident status in the Computer Linked Application Information Management Systems (CLAIMS) (see Immigrants section). Adjustment to immigrant status was the only point at which detailed characteristics of asylees were collected prior to 1992. The RAPS system provides data on selected characteristics of asylum seekers and asylees at an earlier time.

The number of asylum applications filed is defined here as the sum of new applications received and applications reopened during the year. Tables 18 and 19 show the number of applications that were reopened during the year. Most of these are cases that had been closed earlier without a decision. The tabulations also show the number of cases referred to immigration judges, with and without an interview. A referral due to failure to keep an appointment for an interview without good cause is considered comparable, for statistical purposes, to a closed case. The approval rate is calculated as the number of cases granted/approved divided by the number of cases adjudicated, which is defined as the cases granted/approved, denied, and referred to EOIR following an interview (including referrals past the filing deadline).

The data on credible fear claims are collected in the Asylum Pre-screening System (APSS). These data are not stored in RAPS and are not reflected in the detailed tables for this section.

Limitations of Data

The statistics shown here for fiscal year 2003 differ slightly from preliminary statistics released by USCIS Asylum Division in October 2003. The data presented in this section were tabulated from the RAPS system three months after the close of fiscal year 2003 and incorporate late additions and corrections to the database. Since asylum claimants can reopen a case, some of the decisions categorized in the detailed tables in this edition of the *Yearbook* are possibly a change from a completion category in some previous fiscal year. In addition, technical limitations of the data file used to produce these tables preclude a precise count of the number of pending applications at either the beginning of a fiscal year or the end of the year. That is because reopened cases in the data

file do not indicate the date the cases were previously considered complete.

Data on applicants for asylum collected by USCIS historically have covered only cases filed with USCIS. Data have been incomplete for cases filed by aliens after USCIS has placed the alien in removal proceedings before an immigration judge in the Executive Office for Immigration Review (EOIR). The two agencies are working to integrate their data systems to provide these data in the future. Asylum was granted by EOIR to 10,900 individuals in fiscal year 2003; therefore, the total number of individuals granted asylum by both agencies was about 22,300 compared to 34,600 in 2002.

Principal applicants whose asylum applications are successful can apply for their spouses and minor children, whether they are in the United States or abroad, and these relatives also receive status as asylees. The RAPS system collects information on the spouses and children of asylum applicants only if they are included on the principal's application. Information regarding relatives whose principals petition for them after receiving asylum is collected by CLAIMS and is not included in any table in this publication. The data collected by the USCIS at the time asylees adjust to permanent resident status include all aliens who adjust regardless of whether they were granted asylum by the USCIS, immigration judges, or the Board of Immigration Appeals. Adjustment data also include all spouses and children of persons granted asylum.

In Table 18 several countries show individuals granted asylum without any corresponding cases granted asylum. This situation can occur whenever a dependent in an asylum case was born in a different country than the principal. The dependent is eligible for derivative asylum status in this case.